

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ANOOP RAJKUMAR,

Plaintiff,

v.

CISCO SYSTEMS, INC., et al.,

Defendants.

Case No.: C 08-1600 PVT

**INTERIM ORDER RE DEFENDANTS’
 MOTIONS FOR SUMMARY JUDGEMENT;
 AND**

**ORDER VACATING TRIAL DATES AND
 SCHEDULING TRIAL SETTING
 CONFERENCE**

On May 26, 2009, the parties appeared for hearing on Defendants’ respective motions for summary judgment.¹ Based on the briefs and arguments submitted,

IT IS HEREBY ORDERED that, no later than July 17, 2009, Plaintiff may file any evidence he would present at trial to present his case to a jury. This is Plaintiff’s last chance to submit evidence from which a reasonable juror could find in his favor on one or more of his claims against Defendants.

Under Ninth Circuit case law, *pro se* litigants are treated with “great leniency” when evaluating compliance with “the technical rules of civil procedure.” *See, Draper v. Coombs*, 792 F.2d 915, 924 (9th Cir. 1986). It appears from the discussions at the hearing of these motions that

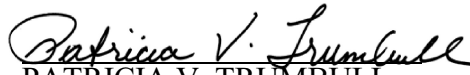
¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

1 Plaintiff did not understand that he was required to submit evidence in response to the motions.
2 Under these circumstances, justice is best served by allowing Plaintiff, representing himself *pro se*, a
3 final opportunity to submit evidence from which a reasonable trier of fact could find in his favor. If
4 Plaintiff fails to submit such evidence, Defendants' motions for summary judgment will be granted
5 and judgment entered against Plaintiff.

6 IT IS FURTHER ORDERED that, in the event Plaintiff submits further evidence in
7 opposition to Defendants' motions for summary judgment, Defendants may file supplemental reply
8 papers no later than July 31, 2009. The motions will then be deemed submitted at that time.

9 IT IS FURTHER ORDERED that the trial dates in this matter are VACATED. The court
10 will hold a trial setting conference at 2:00 p.m. on August 18, 2009.

11 Dated: 6/15/09

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13 PATRICIA V. TRUMBULL
14 United States Magistrate Judge
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Counsel automatically notified of this filing via the court's Electronic Case Filing system.

copies mailed on 6/16/09 to:

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/s/ Donna Kirchner for
CORINNE LEW
Courtroom Deputy